



113 West Mountain Street  
Fayetteville, AR 72701  
(479) 575-8323

**Ordinance: 5800**

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**File Number: 2015-0330**

**ADM 15-5093 (UDC CHAPTERS 161, 164 AND 172 - SINGLE FAMILY AND TWO FAMILY INFILL)**

AN ORDINANCE AMENDING TITLE XV: UNIFIED DEVELOPMENT CODE OF THE CITY OF FAYETTEVILLE, TO AMEND CHAPTERS 161, 164 AND 172 TO MODIFY EXISTING BULK AND AREA REGULATIONS TO ENCOURAGE SMALL-LOT, SINGLE FAMILY AND TWO FAMILY INFILL IN MULTI-FAMILY ZONING DISTRICTS; TO PERMIT ZERO LOT-LINE DEVELOPMENT IN CERTAIN ZONING DISTRICTS; TO CREATE THE RSF-18 ZONING DISTRICT; AND TO INCLUDE MINIMUM DESIGN STANDARDS FOR THIS TYPE OF DEVELOPMENT.

**WHEREAS**, the City of Fayetteville recognizes that the opportunity to provide appropriate neighborhood density through small lot development supports City Plan 2030 goals of prioritizing infill development and discouraging suburban sprawl; and

**WHEREAS**, small lot development with reduced lot sizes and building setbacks may encourage the creation of housing that may be financially attainable to a large segment of the Fayetteville community; and

**WHEREAS**, the City of Fayetteville recognizes that small lot developments are appropriate in many areas of the city zoned for high-density, multi-family housing; and

**WHEREAS**, the overall residential density of single-family and two-family developments in multi-family zoning districts will better match the underlying permitted density by reducing the lot size requirements for residential development; and

**WHEREAS**, design standards for narrow lot development shall be utilized to maximize visual transparency between homes and the street to increase "eyes on the street" and promote safe urban environments.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE, ARKANSAS:**

Section 1: That the City Council of Fayetteville, Arkansas hereby repeals the existing §161.10 RT-12, §161.11 RMF-6, §161.12 RMF-12, §161.13 RMF-18, §161.14 RMF-24, and §161.15 RMF-40 and replaces these sections with the attached Exhibit "A", renumbering the subsequent sections accordingly.

Section 2: That the City Council of Fayetteville, Arkansas adopts a new §161.10 District RSF-18, *Residential Single Family - 18 units per acre*, as shown in Exhibit "B".

Section 3: That the City Council of Fayetteville, Arkansas hereby repeals §164.11 *Height or Setback Regulations; Exceptions and Home Protection Requirements* and replaces it with the attached Exhibit "C."

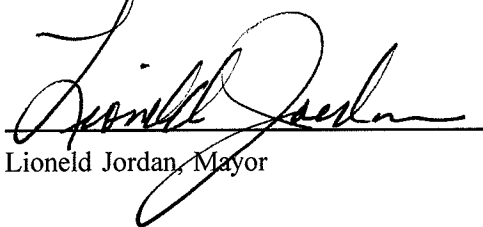
Section 4: That the City Council of Fayetteville, Arkansas hereby amends §164: *Supplementary Zoning Regulations* by adopting §164.23 *Single-Family Infill Standards* as shown on the attached Exhibit "D."

Section 5: That the City Council of Fayetteville, Arkansas hereby repeals §172.11(G)(2) *Driveways Beyond the Property Line* and replaces it with the following language:

§172.11(G)(2). *Driveways Beyond the Property Line.* Driveways shall be paved from the property line and/or master street plan right-of-way with asphalt, concrete, brick or stone pavers, or other solid surface and shall extend 18 feet (length) into the property. To prevent vehicles from parking over the public sidewalk, garages and carports shall be positioned to provide at least 18 feet between the sidewalk or Master Street Plan right-of-way line and the garage or carport.


PASSED and APPROVED on 10/6/2015

Approved:

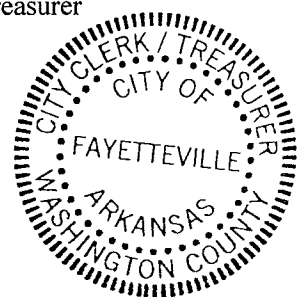


Lioneld Jordan, Mayor

Attest:



Sondra E. Smith, City Clerk Treasurer



# EXHIBIT "A"

## CHAPTER 161: ZONING REGULATIONS

### 161.11 District RT-12, Residential Two And Three Family

(A) *Purpose.* The RT-12 Residential District is designed to permit and encourage the development of detached and attached dwellings in suitable environments, to provide a development potential between low density and medium density with less impact than medium density development, to encourage the development of areas with existing public facilities and to encourage the development of a greater variety of housing values.

(B) *Uses.*

(1) *Permitted uses.*

Unit 1	City-wide uses by right
Unit 8	Single-family dwellings
Unit 9	Two-family dwellings
Unit 10	Three-family dwellings
Unit 44	Cottage Housing Development

(2) *Conditional uses.*

Unit 2	City-wide uses by conditional use permit
Unit 3	Public protection and utility facilities
Unit 4	Cultural and recreational facilities
Unit 5	Government facilities
Unit 12	Limited business
Unit 24	Home occupations
Unit 36	Wireless communications facilities

(C) *Density.*

Units per acre	12
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(D) *Bulk and area regulations.*

	Single-family	Two-family	Three-family
Lot width minimum	50 ft.	50 ft.	90 ft.
Lot area minimum	5,000 sq. ft.	7,260 sq. ft.	10,890 sq. ft.

(E) *Setback requirements.*

Front	Side Other Uses	Side Single & Two Family	Rear Other Uses	Rear Single Family
A build-to	8 ft.	5 ft.	20 ft.	5 ft.

zone that is located between the front property line and a line 25 feet from the front property line.				
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(F) *Building height regulations.*

Building height maximum	30/45 ft.*
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\*A building or a portion of a building that is located between 0 and 10 feet from the front property line or any master street plan right-of-way line shall have a maximum height of 30 feet. Buildings or portions of the building set back greater than 10 feet from the master street plan right-of-way shall have a maximum height of 45 feet.

(G) *Building area.* The area occupied by all buildings shall not exceed 50% of the total lot area.

(H) *Minimum buildable street frontage.* 50% of the lot width.

(Code 1965, App. A., Art. 5(IIA); Ord. No. 3128, 10-1-85; Code 1991, §160.032; Ord. No. 4100, §2 (Ex. A), 6-16-98; Ord. No. 4178, 8-31-99; Ord. 5028, 6-19-07; Ord. 5224, 3-3-09; Ord. 5262, 8-4-09; Ord. 5312, 4-20-10; Ord. 5462, 12-6-11; Ord. 5592, 06-18-13; Ord. 5664, 2-18-14)

**Cross reference(s)**--Variance, Ch. 156.

### 161.12 District RMF-6, Residential Multi-Family – Six Units Per Acre

(A) *Purpose.* The RMF-6 Multi-family Residential District is designed to permit and encourage the development of multi-family residences at a low density that is appropriate to the area and can serve as a transition between higher densities and single-family residential areas.

(B) *Uses.*

(1) *Permitted uses.*

Unit 1	City-wide uses by right
Unit 8	Single-family dwellings
Unit 9	Two-family dwellings
Unit 10	Three-family dwellings
Unit 26	Multi-family dwellings
Unit 44	Cottage Housing Development

# EXHIBIT "A"

## (2) Conditional uses.

Unit 2	City-wide uses by conditional use permit
Unit 3	Public protection and utility facilities
Unit 4	Cultural and recreational facilities
Unit 5	Government facilities
Unit 11	Manufactured home park
Unit 12	Limited business
Unit 24	Home occupations
Unit 25	Professional offices
Unit 36	Wireless communications facilities

## (C) Density.

Units per acre	6 or less
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## (D) Bulk and area regulations.

### (1) Lot width minimum.

Manufactured home park	100 ft.
Lot within a manufactured home park	50 ft.
Single-family	50 ft.
Two-family	50 ft.
Three and more	90 ft.
Professional offices	100 ft.

### (2) Lot area minimum.

Manufactured home park	3 acres
Lot within a Manufactured home park	4,200 sq. ft.
Townhouse:	
Individual lot	2,500 sq. ft.
Single-family	6,000 sq. ft.
Two-family	7,000 sq. ft.
Three or more	9,000 sq. ft.
Fraternity or Sorority	2 acres
Professional offices	1 acre

## (E) Setback requirements.

Front	Side Other Uses	Side Single & Two Family	Rear Other Uses	Rear Single Family
A build-to zone that is located between the front property line and a line 25 feet from the front property	8 ft.	5 ft.	20 ft.	5 ft.

line.				
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**Cross reference(s)**--Variances, Ch. 156.

## (F) Building height regulations.

Building Height Maximum	30/45 ft.*
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\*A building or a portion of a building that is located between 0 and 10 feet from the front property line or any master street plan right-of-way line shall have a maximum height of 30 feet. Buildings or portions of the building set back greater than 10 feet from the master street plan right-of-way shall have a maximum height of 45 feet.

Any building which exceeds the height of 20 feet shall be set back from any side boundary line of an adjacent single family district, an additional distance of one foot for each foot of height in excess of 20 feet.

(G) **Building area.** The area occupied by all buildings shall not exceed 50% of the total lot area.

(H) **Minimum buildable street frontage.** 50% of the lot width.

(Ord. No. 4325, 7-3-01; Ord. 5028, 6-19-07; Ord. 5224, 3-3-09; Ord. 5262, 8-4-09; Ord. 5312, 4-20-10; Ord. 5462, 12-6-11; Ord. 5592, 06-18-13; Ord. 5664, 2-18-14)

## 161.13 District RMF-12, Residential Multi-Family – Twelve Units Per Acre

(A) **Purpose.** The RMF-12 Multi-family Residential District is designed to permit and encourage the development of multi-family residences at a moderate density that is appropriate to the area.

## (B) Uses.

### (1) Permitted uses.

Unit 1	City-wide uses by right
Unit 8	Single-family dwellings
Unit 9	Two-family dwellings
Unit 10	Three-family dwellings
Unit 26	Multi-family dwellings
Unit 44	Cottage Housing Development

### (2) Conditional uses.

Unit 2	City-wide uses by conditional use permit
Unit 3	Public protection and utility facilities
Unit 4	Cultural and recreational facilities
Unit 5	Government facilities
Unit 11	Manufactured home park
Unit 12	Limited business

# EXHIBIT "A"

Unit 24	Home occupations
Unit 25	Professional offices
Unit 36	Wireless communications facilities

(C) *Density.*

Units per acre	12 or less
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(D) *Bulk and area regulations.*

(1) *Lot width minimum.*

Manufactured home park	100 ft.
Lot within a manufactured home park	50 ft.
Single family	45 ft.
Two-family	45 ft.
Three and more	80 ft.
Professional offices	100 ft.

(2) *Lot area minimum.*

Manufactured home park	3 acres
Lot within a manufactured home park	4,200 sq. ft.
Townhouse:	
Individual lot	2,500 sq. ft.
Single-family	4,500 sq. ft.
Two-family	6,000 sq. ft.
Three or more	9,000 sq. ft.
Fraternity or Sorority	2 acres
Professional offices	1 acre

(3) *Land area per dwelling unit.*

Manufactured home	3,000 sq. ft.
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(E) *Setback requirements.*

Front	Side Other Uses	Side Single & Two Family	Rear Other Uses	Rear Single Family
A build-to zone that is located between the front property line and a line 25 feet from the front property line.	8 ft.	5 ft.	20 ft.	5 ft.

**Cross reference(s)**--Variances, Ch. 156

(F) *Building height regulations.*

Building Height Maximum	30/45 ft.*
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\*A building or a portion of a building that is located between 0 and 10 feet from the front property line or any master street plan right-of-way line shall have a maximum height of 30 feet. Buildings or portions of the building set back greater than 10 feet from the master street plan right-of-way shall have a maximum height of 45 feet.

Any building which exceeds the height of 20 feet shall be set back from any side boundary line of an adjacent single family district, an additional distance of one foot for each foot of height in excess of 20 feet.

(G) *Building area.* The area occupied by all buildings shall not exceed 50% of the total lot area.

(H) *Minimum buildable street frontage.* 50% of the lot width.

(Ord. No. 4325, 7-3-01; Ord. 5028, 6-19-07; Ord. 5224, 3-3-09; Ord. 5262, 8-4-09; Ord. 5312, 4-20-10; Ord. 5462, 12-6-11; Ord. 5592, 6-18-13; Ord. 5664, 2-18-14)

## 161.14 District RMF-18, Residential Multi-Family – Eighteen Units Per Acre

(A) *Purpose.* The RMF-18 Multi-family Residential District is designed to permit and encourage the development of multi-family residences at a medium density that is appropriate to the area.

(B) *Uses.*

(1) *Permitted uses.*

Unit 1	City-wide uses by right
Unit 8	Single-family dwellings
Unit 9	Two-family dwellings
Unit 10	Three-family dwellings
Unit 26	Multi-family dwellings
Unit 44	Cottage Housing Development

(2) *Conditional uses.*

Unit 2	City-wide uses by conditional use permit
Unit 3	Public protection and utility facilities
Unit 4	Cultural and recreational facilities
Unit 5	Government facilities
Unit 11	Manufactured home park
Unit 12	Limited business
Unit 24	Home occupations
Unit 25	Professional offices
Unit 36	Wireless communications facilities

(C) *Density.*

Units per acre	18 or less
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# EXHIBIT "A"

## (D) Bulk and area regulations.

### (1) Lot width minimum.

Manufactured home park	100 ft.
Lot within a manufactured home park	50 ft.
Single-family	40 ft.
Two-family	40 ft.
Three and more	75 ft.
Professional offices	100 ft.

### (2) Lot area minimum.

Manufactured home park	3 acres
Lot within a manufactured home park	4,200 sq. ft.
Townhouse:	
Individual lot	2,500 sq. ft.
Single-family	4,000 sq. ft.
Two-family	5,000 sq. ft.
Three or more	7,500 sq. ft.
Fraternity or Sorority	2 acres
Professional offices	1 acre

### (3) Land area per dwelling unit.

Manufactured Home	3,000 sq. ft.
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## (E) Setback requirements.

Front	Side Other Uses	Side Single & Two Family	Rear Other Uses	Rear Single Family
A build-to zone that is located between the front property line and a line 25 feet from the front property line.	8 ft.	5 ft.	20 ft.	5 ft.

Cross reference(s) --Variances, Ch. 156.

## (F) Building height regulations.

Building Height Maximum	30/45 ft.*
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\*A building or a portion of a building that is located between 0 and 10 feet from the front property line or any master street plan right-of-way line shall have a maximum height of 30 feet. Buildings or portions of the building set back

greater than 10 feet from the master street plan right-of-way shall have a maximum height of 45 feet.

Any building which exceeds the height of 20 feet shall be set back from any side boundary line of an adjacent single family district, an additional distance of one foot for each foot of height in excess of 20 feet.

(G) *Building area.* The area occupied by all buildings shall not exceed 50% of the total lot area.

(H) *Minimum buildable street frontage.* 50% of the lot width.

(Ord. No. 4325, 7-3-01; Ord. 5028, 6-19-07; Ord. 5224, 3-3-09; Ord. 5262, 8-4-09; Ord. 5312, 4-20-10; Ord. 5462, 12-6-11; Ord. 5592, 6-18-13; Ord. 5664, 2-18-14)

## 161.15 District RMF-24, Residential Multi-Family – Twenty-Four Units Per Acre

(A) *Purpose.* The RMF-24 Multi-family Residential District is designed to permit and encourage the developing of a variety of dwelling types in suitable environments in a variety of densities.

(B) *Uses.*

### (1) Permitted uses.

Unit 1	City-wide uses by right
Unit 8	Single-family dwellings
Unit 9	Two-family dwellings
Unit 10	Three-family dwellings
Unit 26	Multi-family dwellings
Unit 44	Cottage Housing Development

### (2) Conditional uses.

Unit 2	City-wide uses by conditional use permit
Unit 3	Public protection and utility facilities
Unit 4	Cultural and recreational facilities
Unit 5	Government facilities
Unit 11	Manufactured home park
Unit 12	Limited business
Unit 25	Professional offices
Unit 24	Home occupations
Unit 36	Wireless communications facilities

(C) *Density.*

Units per acre	24 or less
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(D) *Bulk and area regulations.*

### (1) Lot width minimum.

Manufactured home park	100 ft.
Lot within a	50 ft.

# EXHIBIT "A"

Manufactured home park	
Single-family	35 ft.
Two-family	35 ft.
Three or more	70 ft.
Professional offices	100 ft.

## (2) Lot area minimum.

Manufactured home park	3 acres
Lot within a mobile home park	4,200 sq. ft.
Townhouses:	
Individual lot	2,000 sq. ft.
Single-family	3,000 sq. ft.
Two-family	4,000 sq. ft.
Three or more	7,000 sq. ft.
Fraternity or Sorority	2 acres
Professional offices	1 acre

## (3) Land area per dwelling unit.

Manufactured home	3,000 sq. ft.
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## (E) Setback requirements.

Front	Side Other Uses	Side Single & Two Family	Rear Other Uses	Rear Single Family
A build-to zone that is located between the front property line and a line 25 feet from the front property line.	8 ft.	5 ft.	20 ft.	5 ft.

**Cross reference(s)**--Variance, Ch. 156.

## (F) Building height regulations.

Building Height Maximum	30/45/60ft.*
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\*A building or a portion of a building that is located between 0 and 10 feet from the front property line or any master street plan right-of-way line shall have a maximum height of 30 feet, between 10-20 feet from the master street plan right-of-way a maximum height of 45 feet and buildings or portions of the building set back greater than 20 feet from the master street plan right-of-way shall have a maximum height of 60 feet.

Any building which exceeds the height of 20 feet shall be set back from any side boundary line of

an adjacent single family district, an additional distance of one foot for each foot of height in excess of 20 feet.

(G) *Building area.* The area occupied by all buildings shall not exceed 50% of the total lot area.

(H) *Minimum buildable street frontage.* 50% of the lot width.

(Code 1965, App. A., Art. 5(III); Ord. No. 2320, 4-6-77; Ord. No. 2700, 2-2-81; Code 1991, §160.033; Ord. No. 4100, §2 (Ex. A), 6-16-98; Ord. No. 4178, 8-31-99; Ord. 5028, 6-19-07; Ord. 5079, 11-20-07; Ord. 5224, 3-3-09; Ord. 5262, 8-4-09; Ord. 5312, 4-20-10; Ord. 5462, 12-6-11; Ord. 5495, 4-17-12; Ord. 5592, 6-18-13; Ord. 5664, 2-18-14)

## 161.16 District RMF-40, Residential Multi-Family – Forty Units Per Acre

(A) *Purpose.* The RMF-40 Multi-family Residential District is designated to protect existing high density multi-family development and to encourage additional development of this type where it is desirable.

## (B) Uses.

### (1) Permitted uses.

Unit 1	City-wide uses by right
Unit 8	Single-family dwellings
Unit 9	Two-family dwellings
Unit 10	Three-family dwellings
Unit 26	Multi-family dwellings
Unit 44	Cottage Housing Development

### (2) Conditional uses.

Unit 2	City-wide uses by CUP
Unit 3	Public protection and utility facilities
Unit 4	Cultural and recreational facilities
Unit 5	Government facilities
Unit 11	Manufactured home park
Unit 12	Limited business
Unit 24	Home occupation
Unit 25	Professional offices
Unit 36	Wireless communications facilities

## (C) Density.

Units per acre	40 or less
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## (D) Bulk and area regulations.

### (1) Lot width minimum.

Manufactured home park	100 ft.
Lot within a manufactured home park	50 ft.
Single-family	30 ft.
Two-family	30 ft.

# EXHIBIT "A"

Three or more	70 ft.
Professional offices	100 ft.

(2) *Lot area minimum.*

Manufactured home park	3 acres
Lot within a manufactured home park	4,200 sq. ft.
Townhouses:	
Individual lot	2,000 sq. ft.
Single-family	2,500 sq. ft.
Two-family	3,000 sq. ft.
Three or more	7,000 sq. ft.
Fraternity or Sorority	1 acre

(3) *Land area per dwelling unit.*

Manufactured home park	3,000 sq. ft.
Fraternity or Sorority	500 sq. ft. per resident

(E) *Setback requirements.*

Front	Side Other Uses	Side Single & Two family	Rear Other Uses	Rear Single Family
A build-to zone that is located between the front property line and a line 25 feet from the front property line.	8 ft.	5 ft.	20 ft.	5 ft.

**Cross reference(s)**--Variance, Ch. 156.

(F) *Building height regulations.*

Building Height Maximum	30/45/60 ft.*
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\*A building or a portion of a building that is located between 0 and 10 feet from the front property line or any master street plan right-of-way line shall have a maximum height of 30 feet, between 10-20 feet from the master street plan right-of-way a maximum height of 45 feet and buildings or portions of the building set back greater than 20 feet from the master street plan right-of-way shall have a maximum height of 60 feet.

Any building which exceeds the height of 20 feet shall be set back from any side boundary line of an adjacent single family district, an additional

distance of one foot for each foot of height in excess of 20 feet.

(G) *Building area.* The area occupied by all buildings shall not exceed 50% of the total lot area.

(H) *Minimum buildable street frontage.* 50% of the lot width.

(Code 1965, App. A., Art. 5(IV); Ord. No. 2320, 4-5-77; Ord. No. 2700, 2-2-81; Ord. No. 1747, 6-29-70; Code 1991, §160.034; Ord. No. 4100, §2 (Ex. A), 6-16-98; Ord. No. 4178, 8-31-99; Ord. 5028, 6-19-07; Ord. 5224, 3-3-09; Ord. 5262, 8-4-09; Ord. 5312, 4-20-10; Ord. 5462, 12-6-11; Ord. 5592, 6-18-13; Ord. 5664, 2-18-14)



# EXHIBIT "B"

## CHAPTER 161: ZONING REGULATIONS

### 161.10 District RSF-18, Residential Single-Family – Eighteen Units Per Acre

(A) *Purpose.* The RSF-18 Single-family Residential District is designed to promote and encourage the efficient development of single-family detached residences in a variety of densities.

(B) *Uses.*

(1) *Permitted uses.*

Unit 1	City-wide uses by right
Unit 8	Single-family dwellings
Unit 41	Accessory dwellings

(2) *Conditional uses.*

Unit 2	City-wide uses by conditional use permit
Unit 3	Public protection and utility facilities
Unit 4	Cultural and recreational facilities
Unit 5	Government facilities
Unit 9	Two-family dwellings
Unit 12	Limited business
Unit 24	Home occupations
Unit 36	Wireless communications facilities

(C) *Density.*

Units per acre	18 or less
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(D) *Bulk and area regulations.*

(1) *Lot width minimum.*

Single-family	30 ft.
Two-family	30 ft.

(2) *Lot area minimum.*

Townhouses:	
Individual lot	1,250 sq. ft.
Single-family	2,500 sq. ft.
Two-family	2,500 sq. ft.

(E) *Setback requirements.*

Front	Side	Side-Zero Lot Line*	Rear
A build-to zone that is located between the front property line and a	5 ft. on both sides	A setback of less than 5 ft. (zero lot line) is permitted on one interior side, provided a maintenance agreement is filed**. The remaining side	5 ft.

line 25 ft. from the front property line.		setback(s) shall be 10 feet.	
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\* A zero lot line is an alternative to the 5 foot building setback. Applicants should consult the International Building Code when locating a structure in close proximity to property lines and/or adjacent structures.

\*\* At least 5 feet of maintenance area shall be provided along a structure that is within 5 feet of a property line. This may be provided through a perpetual maintenance easement on the adjacent property, or through a combination of a maintenance easement and private property. Walls, fences and customary yard accessories are permitted in the maintenance area.

(F) *Building height regulations.*

Building Height Maximum	35 ft.
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(G) *Building area.* The area occupied by all buildings shall not exceed 60% of the total lot area.

(H) *Minimum buildable street frontage.* 50% of the lot width for two-family dwellings.

# EXHIBIT "C"

## CHAPTER 164: SUPPLEMENTARY ZONING REGULATIONS

### 164.11 Height or Setback Regulations; Exceptions and Home Protection Requirements

(A) *Side Setbacks-Detached Single-family Units.* In RT-12 and all multi-family zoning districts that permit detached single-family units, side setbacks may be varied to permit zero lot line development patterns, subject to all applicable building and fire codes and the following standards.

- (1) The zero lot line allowance only applies to detached single-family homes.
- (2) The side setback opposite of the zero lot line shall be at least 10 feet.
- (3) At least 5 feet of maintenance area shall be provided along a structure that is within 5 feet of a property line. This may be provided through a perpetual maintenance easement on the adjacent property, or through a combination of maintenance easement and private property. Walls, fences and customary yard accessories are permitted in the maintenance area.

(B) *Side Setbacks-Attached Townhouse Units.* In zoning districts that permit two, three or other multi-family residential uses, side setbacks may be varied to permit common walls between single family attached / townhouse dwellings, subject to all applicable building and fire codes and the following standards:

- (1) The total number of dwelling units on the lot, prior to being subdivided into single family attached / townhouse lots, shall conform to the minimum bulk and area requirements of the underlying zoning district.
- (2) The townhouse development shall conform to the zoning district density, exterior setback requirements, height regulations and all other applicable city ordinances.
- (3) There shall be a minimum lot width of 18 feet for each dwelling unit.
- (4) There shall be no minimum lot area requirement unless otherwise specified by the underlying zoning district.

(C) *Home Protection Requirements.* Regardless of any other setback or build-to zone regulations, new multifamily, commercial, office, parking deck, or mixed use construction exceeding twenty-four (24) feet in height which adjoins or abuts a single family home being used primarily as a single family residence within the Downtown General or Main Street Center Zoning Districts must at a minimum be set back from the side or rear adjoining property line at least fifteen (15) feet. The maximum height of the new building from the fifteen foot setback shall be thirty-six (36) feet for an additional fifteen (15) foot stepback from the residence's property line. These setback and stepback requirements are minimums so that, if larger setbacks or stepbacks are required by other zoning laws, the larger setback/stepbacks are controlling.

(D) The height limitations contained in the Zoning Regulation, Chapter 161, do not apply to spires, belfries, cupolas, antennas, water tanks, ventilators, chimneys, or other appurtenances usually required to be placed above the roof level and not intended for human occupancy.

(Code 1965, App. A., Art. 8(6); Ord. No 1747, 6-29-70; Ord. No. 2555, 8-21-79; Code 1991, §160.113; Ord. No. 4100, §2 (Ex. A), 6-16-98; Ord. 5225, 3-3-09; Ord. 5327, 6-1-10; Ord. 5636, 12-03-13)

# EXHIBIT "D"

## 164.23 Single-family Infill Standards

The upper floor(s) shall also have windows facing the street.

- (A) *Purpose.* The purpose of the standards is to maintain visibility and security of the primary residence to and from the streetscape, provide pedestrian safety, and reduce opportunities for criminal activities.
- (B) *Applicability.* The following standards apply to new detached single-family homes on lots with less than 70 feet of street frontage.

## 164.24-164.99 Reserved

### (1) Lots with 46 feet - 69 feet of street frontage.

- (a) Each home shall have a clearly defined front door and windows on the ground floor façade facing the street. This is only required on one side of the home where there is more than one street frontage.
- (b) Garage openings that are on the same side of the home as the front door shall be recessed at least 5 feet behind the principal façade.
- (c) A garage does not have to be recessed behind the principal façade if the garage opening is located on a different side of the home than the front door.

### (2) Lots with less than 46 feet of street frontage.

- (a) Each home shall have a clearly defined front door and windows on the ground floor façade facing the street. This is only required on one side of the home where there is more than one street frontage.
- (b) Garage openings that are on the same side of the home as the front door shall be recessed at least 5 feet behind the principal façade. Where a garage cannot be located at least 5 feet behind the principal façade, due to unique site characteristics, at least two of the following standards shall be implemented.
  - (i) The garage opening shall be less than 50 percent of the principal façade length.
  - (ii) The front door shall be even with or extend forward of the garage opening.
  - (iii) For multi-story homes, the principal façade, a balcony, deck, or similar feature shall project at least 12 inches beyond the garage opening.